

| PRE-APPEAL BRIEF REQUEST FOR REVIEW | | Docket Number (Optional) YOR920010755US1 | | | | | | | | |
|--|--|--|--|--|---|--|---|---|---|---------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>03/06/2007</u> Signature <u>/Samuel A. Kassatly/</u> Typed or printed name <u>Samuel A. Kassatly</u> | <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 33%; padding: 5px;">Application Number 10/091,827</td><td style="width: 67%; padding: 5px;">Filed 03/06/2002</td></tr><tr><td colspan="2" style="padding: 5px;">First Named Inventor Tejaswini Hosalli, et al.</td></tr><tr><td style="padding: 5px;">Art Unit 3623</td><td style="padding: 5px;">Examiner Kalyan K Deshpande</td></tr></table> | | Application Number 10/091,827 | Filed 03/06/2002 | First Named Inventor Tejaswini Hosalli, et al. | | Art Unit 3623 | Examiner Kalyan K Deshpande | | |
| Application Number 10/091,827 | Filed 03/06/2002 | | | | | | | | | |
| First Named Inventor Tejaswini Hosalli, et al. | | | | | | | | | | |
| Art Unit 3623 | Examiner Kalyan K Deshpande | | | | | | | | | |
| <p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%;"><tr><td style="width: 50%;"><input type="checkbox"/> applicant/inventor.</td><td style="width: 50%; text-align: center;"><u>/Samuel A. Kassatly/</u> Signature</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td style="text-align: center;"><u>Samuel A. Kassatly</u> Typed or printed name</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>32,247</u></td><td style="text-align: center;"><u>408-323-5111</u> Telephone number</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td><td style="text-align: center;"><u>03/06/2007</u> Date</td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> | | | <input type="checkbox"/> applicant/inventor. | <u>/Samuel A. Kassatly/</u> Signature | <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) | <u>Samuel A. Kassatly</u> Typed or printed name | <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>32,247</u> | <u>408-323-5111</u> Telephone number | <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ | <u>03/06/2007</u> Date |
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| <input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted. | | | | | | | | | | |

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
AFTER FINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: "System and Method for Dynamically Routing an Object
Through an Organization's Workflow System"

Applicant: Tejaswini Hosalli, et al.

Attorney Docket No.: YOR920010755US1

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|-------------------------------|-------------------------------------|
| Serial No.: 10/091,827 | Examiner: Kalyan K Deshpande |
| Filed: 03/06/2002 | Art Unit: 3623 |

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants submit this Request in response to the Final Office Action of December 7, 2006, and respectfully request that it be reviewed.

CLAIMS REJECTION UNDER 35 U.S.C. 102

Claims 1-4, 8-9, 11-15, 19-20, and 22-24 were rejected under 35 U.S.C. 102(e) as being anticipated by Bacon et al. (U.S. Patent No. 6430538), hereinafter referred to as "Bacon". Applicants respectfully submit that Bacon does not disclose all the elements and limitations of the claims on file. Consequently, the present claims are not anticipated under 35 U.S.C. 102,

and the allowance of these claims is earnestly solicited.

In support of this position, Applicants incorporate by reference the arguments made in the Amendment dated October 2, 2006. Though Applicants will not repeat the legal authorities submitted in the Amendment dated October 2, 2006, Applicants wish to emphasize the strict application and interpretation of the anticipation legal standards. Accordingly, all that the Applicants are required to prove, in order to satisfy the novelty requirement, is the existence of a single novel feature in the claims.

To this end, Applicants will now focus their analysis on representative claim 1. With reference to claim 1, the Examiner indicates that Bacon discloses "based on examined information and organizational structure, determining an appropriate destination for the object at a lowest possible granularity level within the organizational structure (see column 4 lines 38-65 see column 10 lines 10-54 and figure 7; where the server identifies the next activity based on the business process and the just completed activity and pushes the object to the next necessary destination."

Applicants respectfully submit that Bacon describes assigning personal subworkflows to given participants, work group, or other workflow entities. However, Bacon does not include the methodology of determining the lowest possible granularity sub-group to assign the subflow / activity.

The present invention meets the need for the routing requirement of an object through an organization's workflow system. To this end, the system

and associated method of the present invention can utilize, for example, the Systems Applications and Products (SAP) workflow technology so that whenever changes are made to an organization, they are automatically reflected in the workflow.

Since the SAP workflow is position-based, rather than person-based, the workflow routes do not need to be updated every time an employee is promoted or changes jobs, thus increasing the efficiency of the organization's sales, purchasing, and human resources, by implementing a single routing structure for all processes, across all applications, throughout the organization, worldwide. The ability to have an open, flexible routing method that reaches a low level of granularity within an organization or organizations improves productivity by sending the work items to specific recipients, and further improves the system and network performance by selectively sending only work items to those specific recipients as opposed to large groups of people.

In response to this argument, the Examiner indicates that: "Bacon explicitly teaches "based on examined information and organizational structure, determining an appropriate destination for the object at a lowest possible granularity level within the organizational structure" (**see column 4 lines 38-65, column 10 lines 10-54, and figure 7**; where the server identifies the next activity based on the business process and the just completed activity and pushes the object to the next necessary destination. The server uses process definitions in order to determine the most appropriate destination of the object. The process definitions contain logic that enables

the system to isolate the appropriate destination. **This use of process definitions and decision agents to route objects is the same as determining the lowest level of granularity to route an object to.**

Emphasis added.

Applicants respectfully traverse this rejection ground and submit that **nowhere do the texts and figure** (Bacon, column 4 lines 38-65, column 10 lines 10-54, and figure 7) that are referenced by the Examiner, **refer to the determination of the lowest level of granularity**. Actually, the term "granularity" is not mentioned in the entire Bacon patent. **It is not clear to Applicants how the Examiner analogized or equated the concept of identifying the next activity with determining the lowest level of granularity.**

Furthermore, the Examiner rejects claim 2 on the ground that: "The method of claim 1, further including examining external information, if any, related to each parsed portion, to further determine the lowest possible granularity level of the object destination (see column 4 lines 39-57; where external activities are examined to determine the status of the workflow and the next possible activity.)."

Applicants respectfully submit that Bacon discloses determining the status of the workflow and the next possible activity. It states that "the engine 115 routes a given work item 117 to the appropriate actors, such as agents 120, ...". However, **Bacon does not examine or determine the lowest possible granularity level of the object destination.**

Consequently, based on the strict legal requirements of the anticipation standard, claim 1 is not anticipated by Bacon. As a result, claim 1 and the claims dependent thereon are allowable. In addition, independent claims 12 and 23 are allowable for containing a similar subject matter to that of claim 1. Therefore, claims 12 and 23 and the claims dependent thereon, are also allowable.

CLAIMS REJECTION UNDER 35 U.S.C. 103

Claims 5-7, 10, 16-18, and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bacon. Applicants respectfully submit that the cited references do not disclose all the elements and limitations of the claims on file as a whole. In addition, these claims are allowable for depending on the allowable independent claims 1 and 12, as discussed earlier.

Respectfully submitted,

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